



CITY COUNCIL
ATLANTA, GEORGIA

04-R -1220

**A SUBSTITUTE RESOLUTION
BY FINANCE/EXECUTIVE COMMITTEE**

A SUBSTITUTE RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO APPROPRIATE CONTRACTUAL AGREEMENTS WITH INTERMART BROADCASTING OF GEORGIA, INC. FOR THE CONSTRUCTION OF A TOWER AND ELECTRONICS HUT AND LEASE OF REAL PROPERTY LOCATED AT 2065 LIDDEL DRIVE IN ATLANTA; DIRECTING THAT ALL REVENUE GENERATED BE DEPOSITED INTO FUND ACCOUNT CENTER 3PO2 462101 Q11W02CBQNAO TRUST FUND (CARE AND CONSERVE) /REVENUE/LAND LEASE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta is the owner of the property located at 2065 Liddel Drive in Atlanta, Georgia (hereinafter the "Property"); and

WHEREAS, the City of Atlanta's Watershed Management Department maintains the property at the aforementioned location as excess to its present needs; and

WHEREAS, InterMart Broadcasting of Georgia, Inc. ("InterMart") wishes to execute a Site Lease to erect an AM Radio Antenna and electronics hut on the Property; and

WHEREAS, the Site Lease is for the preferred site from which the new AM radio station for InterMart will operate; and

WHEREAS, InterMart needs radio antennas to broadcast programs in the Atlanta market; and

WHEREAS, the proposed new tower will be constructed to accommodate additional demand and will reduce the need for other tall towers in the vicinity; and

WHEREAS, the Commissioner of the Department of Watershed Management has recommended that a Site Lease be entered into with InterMart for the benefit of the City; and

WHEREAS, the term of the Site Lease will be initially ten (10) years and may be automatically renewed for up to two (2) successive five-year periods unless terminated by the City by written notice.



NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: That the Mayor be and is hereby authorized to execute appropriate contractual agreements with InterMart Broadcasting of Georgia, Inc. (the "Tenant") to lease the Property as shown on the attached site plan, and to allow for construction of appropriate buildings and structures as shown on the site plan; and

Section 2: That the Tenant's tower shall be constructed to meet all Federal Communications Commission ("FCC") regulations requiring equipment to suppress interference with other FCC licensed broadcasting equipment and equipment to avoid interference with consumer signal reception devices; and

Section 3: That the Site Lease, shall be for an initial term of ten (10) years commencing on the date of the agreement.

Section 4: That in the event that the Tenant is not in default during any term of the Site Lease, the City shall have the option to renew such Site Lease for two (2) successive five-year renewal periods, not to exceed a total cumulative period of twenty years. The base monthly rental rate shall be \$2,500; provided, however, that this rental rate shall be increased annually by 4% every year after the first year.

Section 5: That an appropriate contractual agreement or agreements shall be prepared for execution by the Mayor, to be approved by the City Attorney as to form.

Section 6: That all revenue generated shall be deposited into the land lease revenue trust fund, account number 3PO2 46211 Q11W02CBQNAO (CARE/CONSERVE TRUST FUND-REVENUE/LAND LEASE).

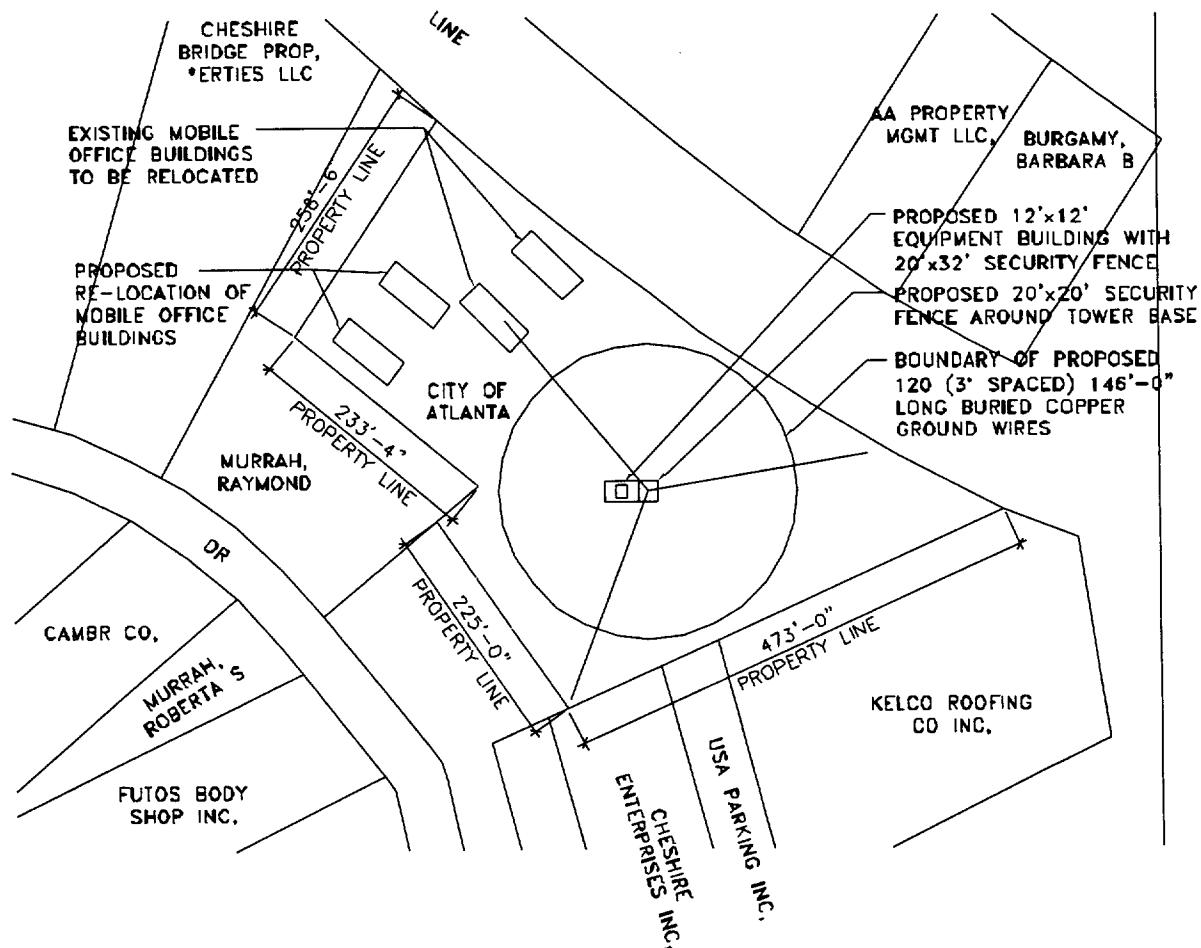
Section 7: That such contractual agreement or agreements shall not become binding on the City, and the City shall not incur any liability upon the same until such agreement or agreements have been approved as to form by the City Attorney, executed by the Mayor, sealed by the Municipal Clerk and delivered to the contracting party.

A true copy,

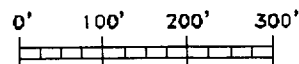
Rhonda Daughkin Johnson
Municipal Clerk, CMC

ADOPTED as amended by the Council
APPROVED by the Mayor

JUL 19, 2004
JUL 22, 2004



220' GUYS SHOWN FOR 360' TOWER



INSTALLATION OF TOWER AND RELOCATION OF EXISTING MOBILE OFFICE BUILDINGS REQUIRES DEMOLITION OF EXISTING DILAPITATED BUILDINGS ON PROPERTY

<p>MORRISON HERSHFIELD</p> <p>MH</p> <p>66 PERimeter CENTER E, SUITE 800, ATLANTA, GA 30346 Tel (770) 378-8500 Fax (770) 378-8501 www.morrisonhershfield.com</p> <p>Client:</p>	<p>Project: AM Tower - City of Atlanta</p> <p>2065 Lickell Drive ATLANTA, GA</p> <p>Drawing Title: SITE LAYOUT</p>	<p>Scale: N.T.S.</p> <p>Designer: A5</p> <p>Drawn By: DP</p> <p>Drawing File:</p> <p>Issue No: 0</p>	<p>Project No. ---</p> <p>Date: 11/12/03</p> <p>Checked By: AS</p> <p>Client Approval:</p> <p>Drawing No. SK-1</p>	<p>Seal:</p>
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RCS# 5923
7/19/04
3:17 PM

Atlanta City Council

Regular Session

04-R-1220

AGRMNT INTERMART BROADCASTING OF GEORGIA
TOWER AND ELECTRONICS 2065 LIDDELL DR
ADOPT ON SUB

YEAS: 9
NAYS: 4
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

Y Smith	Y Winslow	Y Shook	Y Martin	Y Mitchell
Y Starnes	Y Archibong	NV Muller	Y Maddox	N Norwood
N Young	Y Fauver	N Moore	B Mosley	N Willis

04-R-1220

04-1220
(Do Not Write Above This Line)

A RESOLUTION
BY FINANCE/EXECUTIVE COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO APPROPRIATE CONTRACTUAL AGREEMENTS WITH INTERMART BROADCASTING OF GEORGIA, INC. FOR THE DEVELOPMENT OF A TOWER AND ELECTRONICS STRUCTURE AND LEASE OF REAL PROPERTY LOCATED AT 2065 LIDDEL DRIVE IN ATLANTA; AND FOR OTHER PURPOSES; ALL REVENUE GENERATED SHALL BE DEPOSITED INTO THE FUND ACCOUNT AND CENTER NUMBER 3P02 46211 Q11W02CBQNAO.

ADOPTED BY

JUL 19 2004

COUNCIL

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

FIN/Committee
7 Days

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

C. T. Martin

Chair

Refer To

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Refer To

- FINAL COUNCIL ACTION
☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

COUNCIL PRESIDENT

JUL 19 2004

MAYOR'S ACTION

APPROVED

MAYOR